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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,165	09/15/2003	Ramgopal (Paul) K. Reddy	P16242	2833

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INTEL CORPORATION
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EXAMINER

HO, HUY C

ART UNIT	PAPER NUMBER
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2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/663,165	Applicant(s) REDDY ET AL.	
	Examiner Huy C. Ho	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 17-30 is/are rejected.
- 7) ☒ Claim(s) 9-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/01/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Applicant's claim for the benefit of a provisional prior-filed application No. 60/447,665 filed on February 14, 2003, under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged.

Claim Objections

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Missing claim 24 in the claimed section page 25. Correction is needed.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 9 is rejected under 35 U.S.C. 101 because the preamble discloses "a machine-readable medium", which is not met the statutory of useful process, machine, manufacture, or composition of matter. The appropriate term as "a computer-readable medium" would be acceptable for the re-examining procedure.

Claims 10-16 are dependent to claim 9 being rejected under 35 USC 101 statutory therefore also being rejected under the same 35 USC 101 statutory.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. **Claims 1-8, 17-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ahmavaara et al. (2005/0272465)** and further in view of **Melpignano (2005/0176473)**.

Consider claim 1, Ahmavaara teaches a method (see the abstract), comprising:

using credential information stored in a subscriber identity module (SIM) associated with a General Packet Radio Service (GPRS) adapter to authenticate access to a wireless local area network (WLAN), wherein communications with the SIM is carried out using extensible authentication protocol (EAP) (see the abstract, figures 1 and 2, pars [8]-[18], [25]-[31] and [34]). However, Ahmavaara fails to disclose the existences of WLAN adapter and the GPRS adapter. It is noticeable Ahmavaara teaches the method of multiple simultaneous connections to different services in different networks, i.e., WLAN and GPRS networks of a user equipment (see the abstract, figures 1 and 2, par [16]). In an analogous art, Melpignano teaches a wireless local area network (WLAN) adapter and service (GPRS) adapter coupled to the WLAN adapter and including a subscriber identify module (SIM) (see the abstract, pars [16], [18], [22], [62], where describing the multi-standard wireless adaptation for client devices being used, so teaching the existence of WLAN and GPRS adapters). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify and incorporate Melpignano teachings into Ahmavaara invention in order to have a system comprising (WLAN) adapter and service (GPRS) adapter coupled to the WLAN adapter and including a subscriber identify module (SIM).

Consider claim 17, Ahmavaara teaches the featuring of a mobility client to initiate requests for credential information from the SIM to authenticate access to a WLAN when the mobility recognizes an access point, wherein said requests for the credential information are communicated to the SIM using extensible authentication protocol (EAP) (see the abstract, figures 1 and 2, pars [8]-[18], [25]-[31] and [34]).

Ahmavaara fails to disclose the WLAN adapter and the GPRS adapter. However, it is noticeable Ahmavaara teaches the method of multiple simultaneous connections to different services in different networks, i.e., WLAN and GPRS networks of a user equipment (see the abstract, figures 1 and 2, pars [8]-[18], [25]-[31] and [34]). In an analogous art, Melpignano teaches a wireless local area network (WLAN) adapter and service (GPRS) adapter coupled to the WLAN adapter and including a subscriber identify module (SIM) (see the abstract, pars [16], [18], [22], [62], where describing the multi-standard wireless adaptation for client devices being used, so teaching the existence of WLAN and GPRS adapters). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify and incorporate Melpignano teachings into Ahmavaara invention in order to have a system comprising (WLAN) adapter and service (GPRS) adapter coupled to the WLAN adapter and including a subscriber identify module (SIM).

Consider claim 27, Ahmavaara, as modified by Melpignano, further teaches:

means for initiating requests for credential information from a subscriber identity module (SIM) associated with a general packet radio service (GPRS) adapter (see the abstract, figures 1 and 2, pars [8]-[18], [25]-[31] and [34]).

means for authenticating access to a wireless local area network (WLAN) using the credential information (see the abstract, figures 1 and 2, pars [8]-[18], [25]-[31] and [34]); and

means for switching data services from a GPRS connection to a WLAN connection after the access to the WLAN is authenticated (see the abstract, figures 1 and 2, pars [8]-[18], [25]-[31] and [34]).

Consider claim 2, as applied to claim 1, Ahmavaara, as modified by Melpignano, further teaches issuing one or more requests via a smart card interface to get the credential information (see pars [30]-[32]).

Consider claim 3, as applied to claim 2, Ahmavaara, as modified by Melpignano, further teaches

arbitrating the one or more requests to the SIM when the SIM is busy (see pars [15], [16], [28], [30]-[33]).

Consider claim 4, as applied to, claim 3, Ahmavaara, as modified by Melpignano, further teaches the one or more requests are received by the SIM via a SIM reader driver (pars [8]-[18], [25]-[31] and [34], describing the usage of a SIM therefore inherently teaching a SIM reader device).

Consider claim 5, as applied to, claim 4, further teaches receiving the credential information from the SIM after the one or more requests are processed by the SIM (pars [30]-[33],

Consider claim 6, as applied to, claim 1, Ahmavaara, as modified by Melpignano, further teaches establishing a WLAN connection with the WLAN via a WLAN adapter (pars [8], [16], [24]).

Consider claim 7, as applied to, claim 6, Ahmavaara, as modified by Melpignano, further teaches the WLAN connection is established while there is a connection to a GPRS network via the GPRS adapter (par [16]).

Consider claim 8, as applied to, claim 7, Ahmavaara, as modified by Melpignano, further teaches issuing a location update to switch data services from the GPRS network to the WLAN (see the abstract, figures 1 and 2, pars [8]-[18], [25]-[31]); and teaches disconnecting from the GPRS network (pars [181]-[183], describing link quality decreased and switching to other networks, so teaching disconnetivity from the GPRS network).

Consider claim 18, as applied to, claim 17, Ahmavaara, as modified by Melpignano, teaches the requests for the credential information are communicated to the SIM via a smart card interface (figures 1, 3 and 12, pars [29], [30], [34], [60], [62], [64]).

Consider claim 19, as applied to, claim 18, Ahmavaara, as modified by Melpignano, wherein the requests for the credential information are received by the SIM via a SIM reader driver (figures 1, 3 and 12, pars [29], [30], [34], [60], [62], [64]).

Consider claim 20, as applied to claim 19, Ahmavaara, as modified by Melpignano, further

teaches the GPRS adapter includes a SIM access module (SAM) to arbitrate the request for the credential information to the SIM (see pars [15], [16], [25], [28], [30]-[33]).

Consider claim 21, as applied to claim 20, Ahmavaara, as modified by Melpignano, further teaches the SAM arbitrates the requests for the credential information to the SIM while there is a GPRS connection to a GPRS network via the GPRS adapter (see pars [15], [16], [25], [28], [30]-[33]).

Consider claim 22, as applied to claim 21, Ahmavaara, as modified by Melpignano, further teaches wherein the mobility client is further to issue a location update after the access to the WLAN is authenticated and a WLAN connection is established (pars [5] and [28]).

Consider claim 23, as applied to claim 22, Ahmavaara, as modified by Melpignano, teaches the mobility client is further to drop the GPRS connection (pars [181]-[183]).

Consider claim 25, as applied to claim 17, Ahmavaara, as modified by Melpignano, teaches wherein the WLAN adapter and the GPRS adapter are installed on an open platform (see pars [18], [49]-[50]).

Consider claim 26, as applied to claim 17, Ahmavaara, as modified by Melpignano, teaches wherein the WLAN adapter and the GPRS adapter are combined into one module (see figures 2, 3, pars [36]-[40], [45]-[47], [92], [98]).

Consider claim 28, claim 27, Ahmavaara, as modified by Melpignano, further teaches said means for requesting the credential information from the SIM includes means for arbitrating requests to the SIM (see pars [15], [16], [28], [30]-[33]).

Consider claim 29, as applied to claim 28, Ahmavaara, as modified by Melpignano, further teaches wherein said means for switching data services between the GPRS connection and the WLAN connection includes means for performing a location update (pars [5] and [28]).

Consider claim 30, as applied to claim 27, Ahmavaara, as modified by Melpignano, further


teaches means for interfacing with the SIM to send the request for the credential information (pars [28], [30]-[33]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy C. Ho whose telephone number is (571) 270-1108. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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